



U.S. Department of Justice

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March 6, 2023

BY ECF

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

Re: *Bonner v. Federal Bureau of Investigation and Central
Intelligence Agency,
No. 21 Civ. 2166 (PAE)*

Dear Judge Engelmayer:

This Office represents defendants the Federal Bureau of Investigation (“FBI”) and the Central Intelligence Agency (“CIA”) in the above-referenced Freedom of Information Act (“FOIA”) matter. Defendants’ brief in further support of their motion for summary judgment and in opposition to plaintiff’s cross-motion is presently due on Friday, March 10, 2023. (ECF No. 40). Respectfully, we write to request an extension of that deadline to Thursday, April 6, 2023. We further request that the deadline for plaintiff’s reply in further support of his cross-motion correspondingly be extended to Thursday, April 27, 2023. This is defendants’ first request for an extension of their opposition and reply deadline and second request for an extension of a briefing deadline in this case; the Court granted their request for an extension of time to file their opening brief. (*Id.*). Plaintiff’s counsel consents to this request.

We require this additional time to fully address the extensive material plaintiff submitted in support of his contention that certain information defendants have withheld as classified has been officially disclosed elsewhere. (ECF No. 49 & Exs. 1-17; ECF No. 50 & Exs. 11-12).¹ Assessing plaintiff’s allegations and formulating defendants’ response

¹ Under the briefing schedule initially entered in this case, defendants had 28 days from the date plaintiff filed his cross-motion and opposition to file their opposition and

requires a detailed, often line-by-line and word-for-word comparison of plaintiff's proffered material with the information that has been withheld. Moreover, the bulk of that work will need to be performed by the CIA personnel who are also responsible for reviewing and processing records for an April 3, 2023, production in one of plaintiff's other FOIA cases, 21 Civ. 10673, which is also pending before this Court. The additional time will therefore allow defendants to fully and accurately evaluate plaintiff's claims in this case while ensuring that the CIA meets its deadline in the companion case. As noted above, plaintiff's counsel consents to this request.

We thank the Court for its consideration of this letter.

Respectfully submitted,

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cc: Plaintiff's counsel (by ECF)

Granted. SO ORDERED.

Paul A. Engelmayer

PAUL A. ENGELMAYER
United States District Judge
March 6, 2023

reply. ECF No. 38. The requested extension would provide defendants with an additional 14 days.